FEDERAL REGISTER

VOLUME 18 NUMBER 87

Washington, Wednesday, May 6, 1953

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter A—Farm Housing Loans and Grants

[FHA Instruction 443.11]

PART 305—PROCESSING LOANS AND GRANTS

SUBPART A—COUNTY OFFICE ROUTINE

MINIMUM TITLE SEARCH PERIOD

In § 305.2 (c) (1) the introductory paragraph is revised to extend the minimum period of title search under certain conditions from 20 years to 25 years, and to read as follows:

§ 305.2 *Title evidence.* * * *

(c) * * *

(1) A certificate of title or title report prepared by an attorney, or by an abstractor, abstracting company, or County Recorder when authorized by State law, based upon an examination of the public records or a current abstract of title, and setting forth the conditions of the title of the applicant to the land, the manner in which title was acquired, and a listing of all unreleased mortgages, unpaid taxes, other encumbrances, pending suits, leases, easement, and any other outstanding interests. Where the certificate or report is based upon an abstract, the abstract will be submitted to the representative of the Office of the Solicitor for review and approval. Except as modified in the provisions of subdivisions (i) and (ii) of this subparagraph, the certificate or report will cover a period of 25 years immediately prior to the date of the title certificate or report and such additional period as may be necessary to reach and include a conveyance which has been of record for at least 25 years.

* * * * *

(Sec. 510 (g), 63 Stat. 438; 42 U. S. C. 1480 (g). Interprets or applies sec. 502 (b), 63 Stat. 433; 42 U. S. C. 1472 (b))

[SEAL] DILLARD B. LASSETER,
Administrator
Farmers Home Administration.

APRIL 14, 1953.

Approved: April 30, 1953.

TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 53-3946; Filed, May 5, 1953; 8:50 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 973—MILK IN THE MINNEAPOLIS-ST. PAUL, MINNESOTA, MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISIONS OF ORDER, AS AMENDED

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) hereinafter referred to as the "act," and of the order, as amended (7 CFR Part 973) regulating the handling of milk in the Minneapolis-St. Paul, Minnesota, marketing area, hereinafter referred to as the "order," it is hereby found and determined that:

(a) The provisions of § 973.51 providing that the Class II price be used as an alternative formula for pricing Class I milk will not tend to effectuate the declared policy of the act during the months of May and June 1953.

(b) Notice of proposed rule making, public procedure thereon, and 30 days prior notice of the effective date hereof are found to be impracticable, unnecessary, and contrary to the public interest in that (1) this suspension order relieves handlers from paying a Class I price based upon a butter-nonfat dry milk solids formula which would dislocate the normal price relationships between this and other Federally regulated markets during the months of May and June 1953; (2) the producers' association supplying approximately 90 percent of the fluid milk requirements of the market has requested such suspension; (3) present conditions in the market are such that unless relief of an emergency nature is granted the market will be demoralized; (4) use of the Class II price as an alternative formula for pricing Class I milk during the months of May and June 1953 will not tend to effectuate the declared policy of the act; (5) this suspension order does not require of persons affected substantial or extensive preparation prior to the effective date; and (6) the time intervening between the date of this suspension order and its effective date affords per-

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sons affected a reasonable time to prepare for its effective date.

It is therefore ordered, That the following provisions of § 973.51 be and hereby are suspended for the months of May and June 1953: "for Class II milk computed pursuant to § 973.50 (b) or that * * *"

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Done at Washington, D. C., this 30th day of April 1953.

[SEAL] E. T. BENSON,
Secretary of Agriculture.

[F. R. Doc. 53-3926; Filed, May 5, 1953; 8:45 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 35]

PART 610—MINIMUM EN ROUTE IFR ALTITUDES

RECEPTION ALTITUDES

This amendment explains the operational use in flight of a VOR fix where the reception altitude is higher than the lowest minimum en route IFR altitudes associated with the fix. The amendment is adopted without delay in order to provide for safety in air commerce. Therefore, compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act, would be impracticable.

In § 610.3, a new paragraph (d) is added to read:

§ 610.3 *Operation procedures over mountainous terrain and along particular routes.* * * *

(d) *Minimum reception altitude where specified for VOR intersections.* At certain intersections VOR reception may not be adequate at the lowest minimum en route IFR altitude associated with the intersection. In such instances where the minimum reception altitude to determine the fix is higher than the lowest minimum en route IFR altitude associated therewith, the intersection will be denoted by an asterisk(s) and the minimum reception altitude will be specified. Operational utilization of the intersection will require that flights arrive at and cross the intersection at or above the minimum reception altitude specified for the intersection.

Example:

Philipsburg, Pa. (VOR).	Hallton (INT), Pa.[1]	5,000'

[1] 8,000'—minimum reception altitude.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

These rules shall become effective May 12, 1953.

[SEAL] F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 53-3927; Filed, May 5, 1953; 8:45 a. m.]

PART 635—REPRODUCTION AND DISSEMINATION OF CURRENT EXAMINATION MATERIALS

REVOCATION

Part 635—Reproduction and Dissemination of Current Examination Materials, published as Part 532 on January 19, 1943, in 8 F R. 830, and redesignated Part 635 on June 8, 1948, in 13 F. R. 3047, is revoked.

(Secs. 205, 308, 52 Stat. 984, 986, as amended; 49 U. S. C. 425, 458)

This revocation shall become effective upon publication in the FEDERAL REGISTER.

[SEAL] F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 53-3929; Filed, May 5, 1953; 8:45 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 4389]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

STANDARD OIL CO.

Subpart—*Discriminating in price under section 2, Clayton Act as amended—Price discrimination under 2 (a)* § 3.700 *Arbitrary functional discounts;* § 3.715 *Charges and price differentials.* In connection with the sale or distribution of gasoline in commerce, discriminating, directly or indirectly, in the price of gasoline of like grade and quality, (1) by selling such gasoline to any retailer thereof at a lower price than to any other retailer who in fact competes with the favored purchaser of such gasoline to the public; and (2) by selling such gasoline to any retailer at a price known by respondent to be higher than the price at which any wholesaler-purchaser is reselling such gasoline to any retailer who competes with such direct retailer-customer of respondent, where respondent is selling to such wholesaler at a price lower than respondent's price to such direct retailer-customer; prohibited, subject to the further specifications that "retailer" as above used applies to that portion of the business of any purchaser which consists of the retail sale of gasoline to the public, and that, for the purpose of comparison, the term "price" as used in the order includes discounts, rebates, allowances, and other terms and conditions of sale.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 2, 38 Stat. 730, as amended; 15 U. S. C. 13) [Modified cease and desist order, Standard Oil Company, Chicago, Ill., Docket 4389, Jan. 16, 1953]

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, as amended, the respondent's answer thereto, testimony and other evidence in support of the allegations of said complaint, as amended, and in opposition thereto, taken before a hearing examiner of the Commission theretofore duly designated by it, report of the hearing examiner upon the evidence and exceptions filed thereto, briefs in support of and in opposition to the complaint, as amended, and oral argument of counsel, and the Commission, having considered the matter, on October 9, 1945, made its findings as to the facts and its conclusion drawn therefrom and issued its order to cease and desist (which said order to cease and desist was, on August 9, 1946, modified in certain respects)

Said modified order to cease and desist having been further modified by the United States Court of Appeals for the Seventh Circuit in the manner and to the extent set forth in the judgment of said Court issued April 29, 1949, which judgment was subsequently reversed by the United States Supreme Court, and the case having been remanded to the Commission on February 14, 1951, by the Court of Appeals with instructions "to make findings in conformity with the opinion of the Supreme Court of the United States filed on January 8, 1951"; and the Commission having made its modified findings as to the facts [1] and its conclusion [1] that the respondent has violated the provisions of subsection (a) of section 2 of an Act of Congress entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914 (the Clayton Act) as amended by an act of Congress approved June 19, 1936 (the Robinson-Patman Act) and having afforded the respondent opportunity to show cause why the modified order to cease and desist issued in this proceeding on August 9, 1946, should not be further modified in the manner shown in its order issued March 24, 1952, and having considered the objections to such modifications made by the respondent and briefs filed on behalf of Retail Gasoline Dealers Association of Michigan, National Congress of Petroleum Retailers, Inc., Empire State Petroleum Association, Inc., Great American Oil Company, and counsel in support of the complaint, and oral argument of counsel:

It is ordered, That the respondent, Standard Oil Company (Indiana) a corporation, and its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the sale or distribution of gasoline in commerce, as "commerce" is defined in the aforesaid Clayton Act, do forthwith cease and desist from discriminating, directly or indirectly, in the price of gasoline of like grade and quality:

1. By selling such gasoline to any retailer thereof at a lower price than to any other retailer who in fact competes with the favored purchaser in the resale of such gasoline to the public ("Retailer" as here used applies to that portion of the business of any purchaser which consists of the retail sale of gasoline to the public).

2. By selling such gasoline to any retailer at a price known by respondent to be higher than the price at which any wholesaler-purchaser is reselling such gasoline to any retailer who competes with such direct retailer-customer of respondent, where respondent is selling to such wholesaler at a price lower than respondent's price to such direct retailer-customer.

For the purpose of comparison, the term "price" as used in this order includes discounts, rebates, allowances and other terms and conditions of sale.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

Issued: January 16, 1953.

By the Commission.[2]

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 53-3965; Filed, May 5, 1953; 8:52 a. m.]

[1] Filed as part of the original document.

[2] Dissenting opinions of Commissioner Lowell B. Mason and Commissioner Albert A. Carretta filed as part of the original document.

TITLE 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

PART 41—DESIGNATION OF ORGANIZATIONS IN CONNECTION WITH THE FEDERAL EMPLOYEE SECURITY PROGRAM

By virtue of the authority vested in the Attorney General by section 22 of Title 5 of the United States Code, and by Executive Order No. 9835 of March 21, 1947, and Executive Order No. 10450 of April 27, 1953, I hereby prescribe the following rules of procedure with respect to notice, hearing, and designation of organizations in connection with the Federal employee security program:

Sec.
41.1 Notice to and by organizations.
41.2 Statement and interrogatories by Attorney General.
41.3 Reply by organization.
41.4 Request for hearing.
41.5 Notice of hearing.
41.6 Default.
41.7 Hearing board or officer.
41.8 Hearing.
41.9 Recording of testimony.
41.10 Determination.
41.11 Previous designations not affected.

AUTHORITY: §§ 41.1 to 41.11 issued under R. S. 161; 5 U. S. C. 22, E. O. 9835, Mar. 21, 1947, 12 F. R. 1935; 3 CFR, 1947 Supp.; E. O. 10450, Apr. 27, 1953, F. R. 2489

§ 41.1 *Notice to and by organizations.* (a) Within ten days after the effective date of Executive Order No. 10450 of April 27, 1953, each organization which

has been designated by the Attorney General pursuant to Paragraph 3 of Part III of Executive Order No. 9835 of March 21, 1947, may file with the Attorney General, Department of Justice, Washington, D. C., a written notice that it contests such designation. Failure to file a notice of contest within such period shall be deemed an acquiescence in such designation.

(b) Whenever the Attorney General after appropriate investigation proposes to designate an organization pursuant to Executive Order No. 9835 or Executive Order No. 10450, or both, notice of such proposed designation shall be sent by registered mail to such organization at its last known address. If the registered notice is delivered, the organization, within ten days following its receipt or ten days following the effective date of Executive Order No. 10450, whichever shall be later, may file with the Attorney General, Department of Justice, Washington, D. C., a written notice that it desires to contest such designation. If the notice of proposed designation is not delivered and is returned by the Post Office Department, the Attorney General shall cause such notice to be published in the FEDERAL REGISTER, supplemented by such additional notice as the Attorney General may deem appropriate. Within thirty days following such publication in the FEDERAL REGISTER, such organization may file with the Attorney General, Department of Justice, Washington, D. C., a written notice that it desires to contest such designation. Failure to file a notice of contest within such period shall be deemed an acquiescence in such proposed action, and the Attorney General may thereupon after appropriate determination designate such organization and publish such designation in the FEDERAL REGISTER.

(c) The notice of contest provided in this part shall be signed by the executive officers (or persons performing the ordinary and usual duties of executive officers) of the organization which desires to contest such designation or proposed designation.

§ 41.2 *Statement and interrogatories by Attorney General.* Within sixty days following receipt of a notice of contest, the Attorney General shall cause to be forwarded to the organization by registered mail a statement of the grounds upon which the designation was or is proposed to be made and written interrogatories with respect thereto. In the case of organizations designated pursuant to Paragraph 3, Part III of Executive Order No. 9835, such statement may include information obtained since the designation.

§ 41.3 *Reply by organization.* The organization, within sixty days following receipt of such statement and interrogatories, may file a verified reply which shall be signed by the executive officers (or persons performing the ordinary and usual duties of executive officers) of such organization. The reply shall answer each interrogatory completely and with particularity and shall be limited to statements of fact. The organization may also submit supporting affidavits with its reply. Failure to answer any interrogatory or any part thereof shall be deemed an admission of the truth of the facts to which such interrogatory or part thereof refers. The submission of an evasive reply to any interrogatory or any part thereof shall likewise be deemed an admission of the facts to which such interrogatory or part thereof refers. Failure of the organization to file a reply within the sixty days provided therefor shall constitute an acquiescence in designation.

§ 41.4 *Request for hearing.* Any organization filing a reply as provided in this part may accompany its reply with a written request for a hearing. In the absence of such request, the Attorney General shall determine the matter on the basis of the information available to him and the reply of such organization.

§ 41.5 *Notice of hearing.* Upon receipt of a request as provided in § 41.4, the Attorney General will set a date and fix a place for hearing and notify the organization thereof by registered mail.

§ 41.6 *Default.* When an organization declines or fails to appear at any scheduled hearing, the Attorney General shall without further proceedings determine the matter on the basis of the information available to him and the reply of the organization.

§ 41.7 *Hearing board or officer* For the purpose of conducting any hearing as provided in this part the Attorney General shall assign such officer or board as he shall deem necessary.

§ 41.8 *Hearing.* (a) If upon the basis of the statement, interrogatories, reply and affidavits (if any) submitted as provided in this part it appears to the board or hearing officer that a determination may appropriately be made without the taking of evidence, the proceeding may be conducted without the taking of such evidence.

(b) The Attorney General, at his election, may rely upon the statement of grounds upon which the designation was or is proposed to be made, or may introduce evidence in support thereof or supplemental thereto, or in rebuttal of any evidence received on behalf of the organization.

(c) Hearings before a board or officer shall be informal and shall be conducted in an orderly and impartial manner.

(d) An organization shall be entitled to appear by counsel or other representative of its own choice.

(e) Testimony shall be given under oath or affirmation.

(f) The ordinary rules of evidence need not be adhered to at the hearings but reasonable bounds shall be maintained as to relevancy, competency and materiality. Both the Attorney General and the organization may introduce such evidence as the board or officer may deem proper in the particular case. In the discretion of the board or officer, the affidavit of any witness may be received in lieu of his oral testimony.

(g) Whenever, in the judgment of the board or officer, the proposed testimony of any witness appears to be irrelevant, immaterial, cumulative, or repetitious, the board or officer may refuse to receive such testimony.

(h) All objections to the admission or exclusion of evidence or other rulings of the board or officer shall be limited to a concise statement of the reasons therefor and shall be made part of the record. Argument upon such objections may be limited in the discretion of the board or officer.

(i) The board or officer shall be authorized to receive as evidence on behalf of the Attorney General information or documentary material, in summary form or otherwise, without requiring disclosure of classified security information or the identity of confidential informants.

(j) Witnesses testifying before the officer or board shall be subject to cross-examination, provided that no witness on behalf of the Government shall be required to disclose classified security information or the identity of confidential informants.

(k) If in the course of a hearing any witness or other participant is guilty of misbehavior which obstructs the hearing, such person may be excluded from further participation in the hearing.

§ 41.9 *Recording of testimony.* The testimony and proceedings at the hearing shall be recorded and transcribed by a person or persons designated by the Attorney General and made a part of the record. The organization, by its counsel or authorized representative, shall be entitled to inspect the transcript, and, upon request and at its cost, shall be furnished a copy thereof.

§ 41.10 *Determination.* Within a reasonable time following completion of any proceeding hereunder, the Attorney General shall make a determination on the record which shall include the statement of the grounds, interrogatories, replies to the interrogatories, affidavits, and testimony elicited at the hearing and other documents and papers filed in the proceeding, and shall notify the organization of the determination by registered mail. In making his determination the Attorney General shall take into consideration any handicap imposed upon an organization by the non-disclosure to it of classified security information or the identity of confidential informants and by reason of the lack of opportunity to cross-examine confidential informants.

§ 41.11 *Previous designations not affected.* The promulgation of the rules of procedure contained in this Part shall not be deemed a revocation of any designation made by the Attorney General pursuant to Paragraph 3, Part III of Executive Order No. 9835, but each such designation shall continue in effect unless the administrative process herein provided is invoked by the organization affected and upon completion thereof a contrary determination is made by the Attorney General as to such organization.

[SEAL] HERBERT BROWNELL, Jr.,
Attorney General.

[F. R. Doc. 53-3963; Filed, May 5, 1953; 8:53 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 3—VETERANS CLAIMS

PART 4—DEPENDENTS AND BENEFICIARIES CLAIMS

MISCELLANEOUS AMENDMENTS

1. In Part 3, § 3.1089 is revised to read as follows:

§ 3.1089 *Rates; service prior to April 21, 1898.* In claims of veterans with service prior to April 21, 1898, including veterans of the Civil and Indian Wars, the compensation to be awarded will be in accordance with the rates provided in Veterans Regulation No. 1 series, Part I or II, as amended (38 U. S. C. ch. 12) dependent upon whether the service was wartime or peacetime, and the Schedule for Rating Disabilities, 1933, for periods from March 28, 1934, to July 31, 1948, and/or the Schedule for Rating Disabilities, 1945, for periods on or after August 1, 1948, or in accordance with the rates provided by the act of July 14, 1862, as amended (the General Law) or in accordance with the rates provided by the various service pension acts, as amended, whichever is the greater monetary benefit.

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707. Interprets or applies R. S. 4692, 4693, as amended, 4695, as amended, 4696, secs. 1, 4, 48 Stat. 8, as amended, 9; 38 U. S. C. 151–154, 701, 704)

2. In § 3.1095, paragraph (d) is amended to read as follows:

§ 3.1095 *Medical examinations.* * * *

(d) *Examinations of employee-claimants.* Examinations of employees of the Veterans' Administration shall be made in a Veterans' Administration hospital or domiciliary or regional office elsewhere than at the place of employment, except as otherwise approved by the chief, claims division.

3. Section 3.1113 is revised to read as follows:

§ 3.1113 *Rates payable for disability incurred in service prior to April 21, 1898.* Veterans of the regular establishment who served prior to April 21, 1898, who incurred disability in such service and who meet the other requirements of the act of July 14, 1862, as amended, are entitled to compensation at the rates provided in § 3.1062 (a) and (b) Effective July 1, 1940, such veterans are entitled to the rates of compensation prescribed by paragraph II, Part II, of Veterans Regulation 1 (a) as amended (38 U. S. C. ch. 12) and the Schedule for Rating Disabilities, 1933, to July 31, 1948, and the Schedule for Rating Disabilities, 1945, from August 1, 1948, the effective date of Public Law 876, 80th Congress, or § 3.1062 (a) and (b), subject to the right of election.

4. In § 4.77 of Part 4, a new paragraph (g) is added as follows:

§ 4.77 *Death pension or compensation payable solely by virtue of certain amendatory laws.* * * *

(g) *Correction of military records.* The date of commencement of original awards of death pension or compensation payable solely as a result of the findings of a board of review established under section 301, Public Law 346, 78th Congress, or a board for the correction of military (or naval) records established under section 207, Public Law 601, 79th Congress, as amended by Public Law 220, 82d Congress, will be the date authorized by the law under which pension or compensation is payable but not prior to:

(1) The date of the finding of the board of review or, if the finding was approved by the Secretary of the service department concerned, the date of such approval;

(2) The date on which the Secretary of the service department concerned approved the finding of the board for correction of military (or naval) records.

(Sec. 5, 43 Stat. 603, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707. Interprets or applies secs. 14, 16, 57 Stat. 553, 559, as amended, sec. 301, 53 Stat. 289, as amended, sec. 207, 60 Stat. 337, as amended, sec. 4, 63 Stat. 202, 434, par. I, Part I, Vet. Reg. 1 (a), as amended, par. VIII, Vet. Reg. 10, as amended; 5 U. S. C. 191a, 10 U. S. C. 456–1, 32 U. S. C. 160b, 34 U. S. C. 855c–3, 38 U. S. C. 693h, 731, 731 note, 744, ch. 12 note)

This regulation is effective May 6, 1953.

[SEAL] H. V. STIRLING,
Deputy Administrator.

[F. R. Doc. 53–3969; Filed, May 5, 1953; 8:52 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 728]

WHEAT

NOTICE OF APPORTIONMENT OF NATIONAL ACREAGE ALLOTMENT FOR 1954 CROP AMONG STATES AND COUNTIES AND FORMULATION OF REGULATIONS RELATING TO ESTABLISHMENT OF FARM ACREAGE ALLOTMENTS

Pursuant to the authority contained in the applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301, 1334) the Secretary of Agriculture is preparing to apportion among States and counties the national acreage allotment for the 1954 crop of wheat, and to formulate regulations for establishing farm acreage allotments of wheat for the 1954 crop, contingent upon the proclamation of a national acreage allotment of wheat for the 1954 crop pursuant to sections 332 and 333 of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1332, 1333), notice of which has been published in the FEDERAL REGISTER (18 F. R. 2417)

Section 334 (a) of the act requires the apportionment of the national acreage allotment of wheat for the 1954 crop among States on the basis of the acreage seeded for the production of wheat during the 10 calendar years 1943–1952 (plus, in applicable years, the acreage diverted under agricultural adjustment and conservation programs) with adjustments for abnormal weather conditions and trends in acreage during such period. Section 334 (b) of the act requires the apportionment of the State acreage allotment of wheat for the 1954 crop among the counties in the State on the basis of the acreage seeded for the production of wheat during the 10 calendar years 1943–1952 (plus, in applicable years, the acreage diverted under agricultural adjustment and conservation programs) with adjustments for abnormal weather conditions and trends in acreage during such period and for the promotion of soil-conservation practices.

Section 334 (c) of the act provides for the apportionment of the county acreage allotment among farms within the county on the basis of tillable acres, crop-rotation practices, type of soil, and topography, and requires that not more than 3 percent of the county allotment be apportioned to farms on which wheat has not been planted for harvest during the three years 1951, 1952, and 1953.

Prior to the apportionment of the national acreage allotment of wheat for the 1954 crop among States and counties and the formulation of regulations for the establishment of farm acreage allotments for the 1954 crop of wheat consideration will be given to data, views, and recommendations pertaining thereto which are submitted in writing to the Director, Grain Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C. All written submissions must be postmarked not later than ten days after the date of publication of this notice in the FEDERAL REGISTER.

Issued at Washington, D. C., this 30th day of April 1953.

HOWARD H. GORDON,
Administrator.

[F. R. Doc. 53–3947; Filed, May 5, 1953; 8:50 a. m.]

[7 CFR Part 962]

FRESH PEACHES GROWN IN GEORGIA

EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1953–54 FISCAL PERIOD

Consideration is being given to the following proposals which were submitted by the Industry Committee, established under the marketing agreement, as amended, and Order No. 62, as amended (7 CFR Part 962) regulating the handling of fresh peaches grown in the State of Georgia, as the agency to administer the terms and provisions thereof:

(a) That the Secretary of Agriculture find that expenses not to exceed $21,672.00 will be necessarily incurred by the aforesaid Industry Committee for its maintenance and functioning during the fiscal period beginning on March 1, 1953, under the aforesaid amended marketing agreement and order; and

(b) That the Secretary of Agriculture fix, as the share of such expenses which each handler who first ships peaches shall pay in accordance with the provisions of the aforesaid amended marketing agreement and order during the aforesaid fiscal period, the rate of assessment at $0.014 per bushel basket of peaches (net weight 50 pounds) or its equivalent of peaches in other containers or in bulk, shipped by him as the first handler thereof during said fiscal period.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposals may do so by submitting the same to the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., not later than the 10th day following publication of this notice in the FEDERAL REGISTER.

Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Issued this 1st day of May 1953.

[SEAL] S. R. SMITH,
Director
Fruit and Vegetable Branch.

[F. R. Doc. 53-3967; Filed, May 5, 1953; 8:53 a. m.]

FEDERAL TRADE COMMISSION

[16 CFR Part 93]

[File No. 21-207]

CEDAR CHEST INDUSTRY

NOTICE OF HEARING AND OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS, OR OBJECTIONS

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, partnerships, corporations, organizations, or other parties, including consumers, affected by or having an interest in the proposed trade practice rules for the cedar chest manufacturing industry (which constitute a proposed revision of the trade practice rules for the industry as promulgated by the Commission on May 12, 1933) to present to the Commission their views concerning said rules, including such pertinent information, suggestions, or objections as they may desire to submit, and to be heard in the premises. For this purpose they may obtain copies of the proposed rules upon request to the Commission. Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief, or other communication, to be filed with the Commission not later than May 28, 1953. Opportunity to be heard orally will be afforded at the hearing beginning at 10 a. m. May 28, 1953, in Room 332, Federal Trade Commission Building, Pennsylvania Avenue at Sixth Street NW., Washington, D. C., to any such persons, partnerships, corporations, organizations, or other parties, who desire to appear and be heard. After due consideration of all matters presented in writing or orally the Commission will proceed to final action on the proposed rules.

The industry is engaged in the manufacture and sale of chests, wardrobes, containers, or other receptacles which are composed, or are represented as being composed, wholly or in part, of cedar, and which are represented as offering protection from moth damage.

Issued: May 1, 1953.

By the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 53-3964; Filed, May 5, 1953; 8:52 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Foreign Assets Control

IMPORTATION OF SOY BEAN SAUCE AND CANNED BAMBOO SPROUTS

AVAILABLE CERTIFICATIONS BY GOVERNMENT OF JAPAN

Notice is hereby given that certificates of origin issued by the Ministry of International Trade and Industry of the Government of Japan under procedures agreed upon between that government and the Foreign Assets Control are now available with respect to the importation into the United States directly, or on a through bill of lading, from Japan with respect to the following additional commodities:

Soy bean sauce.
Canned bamboo sprouts.

[SEAL] ELTING ARNOLD,
Acting Director
Foreign Assets Control.

[F. R. Doc. 53-3992; Filed, May 5, 1953; 8:53 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 64532]

MONTANA

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

APRIL 30, 1953.

In connection with the issuance of a new and correct patent under the provisions of 43 CFR, Part 104, the following-described lands have been reconveyed to the United States:

PRINCIPAL MERIDIAN

T. 21 N., R. 15 E.,
Sec. 18, lots 6, 14 and 15.

The area described aggregates 107.38 acres.

These lands are mountainous in character and unsuited for agriculture. It is unlikely that they will be classified for small tract, homestead or desert land entry. They are suited for disposal at public sale or through exchange. Any application filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

This order shall not become effective to change the status of the described lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall become subject to application, petition, location, and selection, subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable laws, and the 91-day preference-right filing period for veterans and others entitled to preference under the act of September 27, 1944 (58 Stat. 747) as amended (43 U. S. C. Sup. secs. 279–284)

Information showing the periods during which and the conditions under which veterans and others may file applications for these lands may be obtained on request from the Manager of the Land Office, Billings, Montana.

WILLIAM PINCUS,
Assistant Director

[F. R. Doc. 53-3930; Filed, May 5, 1953; 8:46 a. m.]

DEPARTMENT OF COMMERCE

Office of International Trade

[Case No. 153]

SERGE G. BRUNET & CO. ET AL.

ORDER REVOKING AND DENYING LICENSE PRIVILEGES

In the matter of Serge G. Brunet & Co., Serge G. Brunet, Fern N. Brunet, also known as Fern N. Hummel, Santa Ana, No. 464, Havana, Cuba, Irex Agencia Comercial de Meyer, Goldschmidt y Compania, Martin Sarre, Edificio Western Union, Obispo 351, Havana, D. No. 5, Cuba; respondents; Case No. 153.

This compliance proceeding was instituted against the above-named respondents, and others, by charging letter of February 5, 1953, issued by the Investigation Staff of the Office of International Trade, United States Department of Commerce, charging that said respondents, and such others, had violated the Export Control Act of 1949, as amended, and the regulations issued thereunder. Thereafter, on April 1, 1953, following conferences with officials of the Office of International Trade, respondents Serge G. Brunet, individually and doing business under the name of Serge G. Brunet & Co., and Fern N. Brunet, also known as Fern N. Hummel, submitted to the Compliance Commissioner a writing dated March 31, 1953, admitting the charges in said charging letter applicable to them for the purposes of this compliance proceeding only and consenting to an order denying their export privileges for the period and under the terms set forth below. On motion of the Office of International Trade the action against such respondents was severed from the pending proceedings. On April 3, 1953, respondents Martin Sarre and Irex Agencia Comercial de Meyer, Goldschmidt y Compania, by and through counsel, also submitted to the Compliance Commissioner a writing dated April 2, 1953, amended April 22, 1953, admitting the substance of the charges applicable to such respondents for the purposes of this compliance proceeding only and consenting to an order denying their export privileges for the period and under the terms set forth below. The charges against the other respondents named in said charging letter of February 5, 1953, were, on motion of the Office of International Trade, withdrawn and the proceedings against such respondents discontinued.

The report of the Compliance Commissioner discloses the circumstances herein to be as follows: Serge G. Brunet, doing business as Serge G. Brunet & Co. ("Brunet") in Havana, Cuba, an importer and distributor of steel products and related commodities, on December 6, 1951, placed with Sarre, a partner in the firm, Meyer Goldschmidt y Compania, trading as Irex Agencia Comercial ("Irex") sales representative in Cuba for American and European export firms, an order for 100 tons of deformed steel reinforcing bars of United States origin, representing in such order that the purchaser-consignee of said bars was one Fern N. Hummel ("Hummel") Havana, Cuba, and that said steel bars were intended "For use in the Tunnel under construction connecting the city of Havana with the city of Marianao, and for that reason necessary to the Defense of Cuba." Actually, Fern N. Hummel was, and is, Brunet's wife, Fern N. Brunet, a housewife, and, in this transaction, as in others, was merely the nominee for her husband, the true purchaser of said bars, and not his customer as tacitly understood by Sarre, although the latter understood that Brunet had an interest in the transaction. Both Sarre and Brunet were aware that in December 1951 and for some time prior thereto United States export control regulations prohibited the exportation of steel bars of the type here under consideration from the United States to Cuba, except for defense or strategic purposes such as the defense of Cuba or the essential production of strategic materials for shipment to the United States or to a friendly nation. Sarre and Brunet also knew that Hummel (Brunet) held no firm order or commitment to supply 100 tons of steel bars, or any bars, to the tunnel project, and that the order was being placed merely on the assumption that if said bars were available in Cuba they might be resold to the contractor for the tunnel operation. With the intention of expediting the exportation from the United States of said bars to Brunet for said purpose and to give the purported appearance of acting in conformity with the United States export regulation relating to the export of said bars to Cuba, and for the further purpose of inducing the issuance of a validated export license to effect such exportation, these respondents, Sarre and Brunet, acting in concert, devised and prepared the end-use statement as aforesaid in order to gain entry of said bars into Cuba. The order and the end-use statement were executed by Fern Hummel at the direction of her husband, turned over to Sarre, and the same were then forwarded to the supplier in the United States, Irex' principal (the other respondents named in the charging letter).

Brunet's alleged reason for nominating Fern Hummel as the purchaser-consignee herein and in other transactions is ascribed to an attempt to avoid payment of Cuba's gross sales taxes which are imposed upon business firms whose sales exceed a certain figure; thus, by splitting such sales between himself and his wife, Brunet claims he hoped to prevent assessment of such taxes.

The report shows that upon receipt of the order and end-use statement as aforesaid Irex' principal, the American firm, applied for validated export licenses on December 10 and December 13, 1951, respectively, designating Fern N. Hummel in Havana, Cuba, on such applications as purchaser and ultimate consignee and adopting the language on the end-use statement executed by Hummel, representing that the end-use for said bars was "For use in the Tunnel under construction connecting the city of Havana with the city of Marianao, and for that reason necessary to the Defense of Cuba." In reliance on such representations on the applications, the Office of International Trade granted a license for 50 tons of steel reinforcing bars for exportation to Fern N. Hummel in Cuba on December 18, 1951, and another license for an additional 50 tons on December 19, 1951, making an aggregate of 100 tons, the amount of the order. The order was not consummated, however, as the price of said bars had risen subsequent to the order and Brunet was unwilling to pay the additional price. Consequently, the licenses were never used and no exportations thereunder were effected whatsoever.

The Compliance Commissioner's report further shows that in the course of an investigation of this matter by the Office of International Trade investigators in Cuba, Brunet deliberately misled such investigators as to the identity and whereabouts of Fern N. Hummel and failed and refused to inform them that Fern N. Hummel was in fact Mrs. Brunet. In other respects regarding the transaction he was cooperative and voluntarily made complete statements of his participation in the transaction.

The charging letter, evidentiary material relating to the charges set forth therein, and the aforementioned proposals for a consent order have been submitted to the Compliance Commissioner for review in conformance with § 382.10 of the export control regulations. Upon the basis of such review, and upon the informal presentation of the facts, including extenuating circumstances claimed by the Brunet respondents and by the Irex respondents, by counsel, at the conference with counsel for the Office of International Trade and with said respondents, the Compliance Commissioner has found that charges to be supported by the evidence and has also found the terms and conditions of the proposed order as consented to by the respondents to be fair and reasonable, and he has recommended that such order be issued.

The Compliance Commissioner has pointed out that in making the recommendation he has taken into consideration the previous good record of the Irex respondents and that this is the only known instance where they have been charged with a breach of export regulations such as those here involved. He has also taken into consideration the temporary denial of license privileges against the Brunet respondents contained in the provisions of the charging letter of February 5, 1953, pursuant to which said Brunet respondents have been ineligible to participate as parties to any validated export licenses or to any exportations effected from the United States thereunder pending the determination of this compliance proceeding.

The Compliance Commissioner has also pointed out that the longer suspension imposed upon the Brunet respondents is necessitated by their having been the prime movants in the violations herein; That their admissions to the Investigation Staff of the Office of International Trade and to the Compliance Commissioner show that the expediency of naming current Cuban public projects or the essential needs of the Cuban sugar industry as the alleged intended end-use for commodities to be imported from the United States merely to conform to

known United States export requirements, and not the true end-use for which such commodities are actually intended, is standard practice with Brunet in purchasing commodities from the United States; that such attitude toward United States licensing controls must be severely censured and such practice stamped out as inimical to the best interests of United States export control policy and programs and as a threat to the integrity of the export control system.

The findings and recommendations of the Compliance Commissioner have been carefully considered, together with the charging letter, the evidentiary material, and the proposals for a consent order. It appears therefrom that the Compliance Commissioner's findings are in accordance with the evidence and that such recommendations are reasonable and should be adopted.

Now, therefore, it is ordered as follows:

(1) All outstanding validated export licenses in which respondents Serge G. Brunet, individually, and doing business as Serge G. Brunet & Co., Fern N. Brunet, also known as Fern N. Hummel, ("Brunet") and Martin Sarre and Irex Agencia Comercial de Meyer, Goldschmidt y Compania ("Irex") appear or participate as purchaser, intermediate or ultimate consignee, or otherwise, are revoked and shall be forthwith returned to the Office of International Trade for cancellation.

(2) The above-named respondents, and each of them, are hereby denied and declared ineligible to exercise the privileges of participating directly or indirectly in any manner or capacity in the exportation of any commodity from the United States to any foreign destination, including Canada. Without limitation of the generality of the foregoing, participation in an exportation shall be deemed to include and prohibit respondents' participation (a) in the filing of any validated export license application, (b) in the obtaining or using of any validated or general export license or other export control document, (c) in the receiving in any foreign country of any exportation from the United States, and (d) in the financing, forwarding, transporting, or other servicing of exports from the United States.

(3) Such denial of export privileges shall extend not only to the named respondents, but also to any person, firm, corporation, or other business organization with which they, or any of them, may be now or hereafter related by ownership, control, position of responsibility, or other connection in the conduct of trade involving exports from the United States or services connected therewith.

(4) This order shall extend as to Serge G. Brunet, individually, and doing business as Serge G. Brunet & Co., and Fern N. Brunet, also known as Fern N. Hummel ("Brunet") for a period of twelve (12) months from the date of issuance, or for the duration of export controls, whichever expires earlier, and, as to Martin Sarre and Irex Agencia Comercial de Meyer, Goldschmidt y Compania ("Irex") for a period of six (6) months, or for the duration of export controls, whichever expires earlier: *Provided, however,* That during the last six (6) months of the suspension period applicable to the Brunet respondents and during the last three (3) months of the suspension period applicable to the Irex respondents, the export privileges of said respondents which are denied by the terms of this order shall be restored to them without further order of the Office of International Trade, but no validated licenses which shall have been revoked and cancelled under this order shall thereby be restored. In the event, however, that any of the Brunet respondents shall knowingly violate the terms of this order during the first six (6)-month period thereof, or that any of the Irex respondents shall knowingly violate the terms of this order during the first three (3)-month period thereof, or if said Brunet respondents or said Irex respondents shall knowingly violate any of the laws or regulations relating to export control at any time during the entire period of the order as applicable to the Brunet respondents and the Irex respondents, respectively the Office of International Trade may summarily and without notice to the respondent or respondents responsible for such violation, at such time as it shall determine that such violation has occurred, issue a supplemental order which shall deny to such respondent or respondents all export privileges for the period of the order which has been held in abeyance, as aforesaid, and shall revoke and cancel all validated export licenses then outstanding and as to which said respondent or respondents may be parties, without limiting thereby the Office of International Trade from taking such other and further action based on such violation as it shall deem warranted.

(5) No person, firm, corporation, or other business organization shall knowingly apply for or obtain any license, shipper's export declaration, bill of lading, or other export control document relating to any exportation from the United States under validated and general export licenses, or finance, service, transport, forward or receive any commodities thereunder, to or for the named respondents, or any them, or any person, firm, corporation, or other business organization covered by paragraph (3) above, without prior disclosure of such facts to, and specific authorization from, the Office of International Trade.

Dated: April 28, 1953.

WALLACE S. THOMAS,
Acting Assistant Director for Export Supply.

[F. R. Doc. 53-3953; Filed, May 5, 1953; 8:51 a. m.]

INTERSTATE COMMERCE COMMISSION

[Rev. S. O. 562, Taylor's I. C. C. Order No. 15]

ANN ARBOR RAILROAD CO.

REROUTING AND DIVERSION OF TRAFFIC

In the opinion of Charles W Taylor, Agent, the Ann Arbor Railroad Company, account storm conditions, is unable to transport traffic routed over its line: *It is ordered,* That:

(a) Rerouting traffic: The Ann Arbor Railroad Company being unable to transport traffic routed over its line, account storm conditions, and its direct connections are hereby authorized to divert or reroute such traffic over any available route to expedite the movement, regardless of the routing shown on the waybill. The billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) Concurrence of receiving roads to be obtained: The railroads desiring to divert or reroute traffic under this order shall confer with the proper transportation officer of the railroad or railroads to which such traffic is to be diverted or rerouted, and shall receive the concurrence of such other railroads before the rerouting or diversion is ordered.

(c) Notification to shippers: Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) Inasmuch as the diversion or rerouting of traffic by said Agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(e) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(f) Effective date: This order shall become effective at 7:00 a. m., April 30, 1953.

(g) Expiration date: This order shall expire at 11:59 p. m., May 7, 1953, unless otherwise modified, changed, suspended or annulled:

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., April 30, 1953.

INTERSTATE COMMERCE COMMISSION,
CHARLES W. TAYLOR,
Agent.

[F. R. Doc. 53-3952; Filed, May 5, 1953; 8:51 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES - ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Sup. 214) and Part 522 of the regulations issued thereunder (29 CFR Part 522) special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear and Other Odd Outerwear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.166, as amended December 31, 1951, 16 F. R. 12043, and June 2, 1952; 17 F. R. 3813)

Abbey Lingerie Corp., 244 Ogden Street, Newark, N. J., effective 4-24-53 to 4-23-54; 10 percent of the productive factory force or 10 learners, whichever is greater (ladies' slips).

Alcorn Manufacturing Co., Corinth, Miss., effective 4-24-53 to 10-23-53; 40 learners for expansion purposes (sport shirts).

Blue Bell, Inc., Fulton, Miss., effective 4-29-53 to 10-28-53; 30 learners for expansion purposes (work shirts).

Clearfield Sportswear Co., Inc., Coalport, Pa., effective 4-25-53 to 4-24-54; 10 percent of the productive factory force or 10 learners, whichever is greater (sport shirts).

Denton Garment Co., Inc., 808 Mill Road, Greensboro, Md., effective 4-24-53 to 4-23-54; 5 learners (women's sportswear).

Denton Garment Co., Inc., Ridgely, Md., effective 4-24-53 to 4-23-54; 3 learners (women's sportswear).

Dickson Manufacturing Co., Dickson, Tenn., effective 4-27-53 to 4-26-54; 10 percent of the productive factory force (work shirts).

Helmer Manufacturing Division, Ore Street, Bowmanstown, Pa., effective 4-27-53 to 4-26-54; 10 percent of the productive factory force (dresses).

Hollywood Maxwell Co., 407 Main Street, Arkadelphia, Ark., effective 5-4-53 to 5-3-54; 10 percent of the productive factory force (brassieres).

Joy Togs, Inc., 950 Highland Avenue, Greensburg, Pa., effective 4-22-53 to 10-21-53; 20 learners for expansion purposes (snowsuits and play togs).

Kamp Togs, Inc., Clarksville, Mo., effective 4-24-53 to 10-23-53; 5 learners for expansion purposes (boxer shorts and longies).

Kamp Togs, Inc., Clarksville, Mo., effective 4-24-53 to 4-23-54; 10 percent of the productive factory force (boxer shorts and longies).

Lancaster-Walker Manufacturing Co., Columbia, Ky., effective 4-27-53 to 10-26-53; 30 learners for expansion purposes (cotton sport shirts).

Michelson Manufacturing Co., 307 South Second Avenue, Canton, Ill., effective 4-23-53 to 4-22-54; 10 percent of the productive factory force or 10 learners, whichever is greater (blanket lined work coats and jackets).

N & W Industries, Inc., Magee, Miss., effective 4-23-53 to 4-22-54; 10 percent of the productive factory force (shirts and dungarees).

New England Pants Co., Inc., 131 Ash Street, Willimantic, Conn., effective 4-25-53 to 4-24-54; 10 percent of the productive factory force (men's and boys' pants).

Peerless Sportswear Manufacturing Co., 324 South Main Street, Wilkes-Barre, Pa., effective 4-23-53 to 10-22-53; 10 learners for expansion purposes (boys' cotton and rayon longies).

Pelion Manufacturing Co., Pelion, S. C., effective 4-24-53 to 10-23-53; 10 learners for expansion purposes (sport shirts).

Pioneer Manufacturing Co., 63 Waller Street, Wilkes-Barre, Pa., effective 4-24-53 to 4-23-54; 10 percent of the productive factory force (children's apparel).

Pool Manufacturing Co., 1601 South Montgomery Street, Sherman, Tex., effective 4-23-53 to 4-22-54; 10 percent of the productive factory force (work shirts, uniform shirts, dress shirts, etc.).

Reliance Manufacturing Co., "Plantation" Factory, Montgomery, Ala., effective 5-3-53 to 11-2-53; 25 learners for expansion purposes (Dungarees).

Rose Marie, Inc., Hillsboro, Tex., effective 4-20-53 to 4-19-54; 10 learners (women's and children's apparel).

H. A. Satin & Co., Inc., Grayville, Ill., effective 4-25-53 to 4-24-54; 10 learners (ladies' cotton dresses).

Steingut Dress Co., 228 Everhart Street, Dupont, Pa., effective 4-22-53 to 4-21-54; 5 learners (street dresses).

Valley Dress Co., 9 Pine Street, Pittston, Pa., effective 4-30-53 to 4-29-54; 5 learners (women's dresses).

Wood Garment Manufacturing Co., Inc., Crane, Mo., effective 4-24-53 to 4-23-54; 10 percent of the productive factory force (men's dress trousers).

Wood Garment Manufacturing Co., Inc., Republic, Mo., effective 4-24-53 to 4-23-54; 10 percent of the productive factory force (men's dress trousers).

Zulick's Underwear Mill, Rear 128 Center Avenue, Schuylkill Haven, Pa., effective 5-1-53 to 4-30-54; 10 learners (ladies' and misses' blouses).

Cigar Industry Learner Regulations (29 CFR 522.201 to 522.211, as amended October 27, 1952; 17 F. R. 8633).

General Cigar Co., Inc., Johnstone and Neville Streets, Perth Amboy, N. J., effective 5-7-53 to 5-6-54; 10 percent of the productive factory workers engaged in the learner occupations; cigar machine operator, 320 hours; packer (cigars retailing for more than 6 cents each), 320 hours; machine stripper, 160 hours; hand stripper, 160 hours; each 65 cents per hour.

Glove Industry Learner Regulations (29 CFR 522.220 to 522.231, as amended October 26, 1950; 15 F. R. 6888)

The Ideal Glove Co., Inc., Union Street, Pennville, Ind., effective 4-23-53 to 4-22-54; 3 learners (cotton work gloves, leather palm).

Model Glove Co., 404 East Harris Street, Greenville, Ill., effective 4-22-53 to 4-21-54; 6 learners (work gloves).

Tennessee Glove Co., Inc., Tullahoma, Tenn., effective 4-21-53 to 4-20-54; 10 learners (work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.51, as revised November 19, 1951, 16 F. R. 10733).

Ashburn Hosiery Mills, Mount Airy, N. C., effective 4-23-53 to 12-27-53; 15 learners for expansion purposes.

Midway Hosiery Mills, Inc., P. O. Box 633, Hickory, N. C., effective 4-28-53 to 4-27-54; 5 learners.

Mount Pleasant Hosiery Mills, Mount Pleasant, N. C., effective 4-28-53 to 4-27-54; 5 learners.

Vaughan Hosiery Mill, Carrollton, Ga., effective 4-25-53 to 4-24-54; 5 learners.

Knitted Wear Industry Learner Regulations (29 CFR 522.68 to 522.79, as amended January 21, 1952; 16 F. R. 12866).

Bashore Knitting Mills, 536 Garfield Avenue, Schuylkill Haven, Pa., effective 4-23-53 to 4-28-54; 5 learners (knitted underwear).

The following special learner certificates were issued in Puerto Rico and in the Virgin Islands to the companies hereinafter named. The effective and expiration dates, the number of learners, the learner occupations, the length of the learning period and the learner wage rates are indicated, respectively.

Coastal Footwear Corp., Canovanas, P. R., effective 4-18-53 to 10-17-53; 70 learners; shoe manufacturing; 240 hours at 30 cents per hour, 240 hours at 32½ cents per hour (shoes).

Denicotea-Panamerican, Inc., Hato Rey, P. R., effective 4-22-53 to 10-21-53; 45 learners; assembling plastic filters, 160 hours at 40 cents per hour; packing filters, 160 hours at 40 cents per hour (assembly and packing of plastic cigarette filters).

El Mundo, Inc., San Juan, P. R., effective 4-21-53 to 10-20-53; 6 learners; teletype operators; 200 hours at 48 cents per hour (daily newspaper).

Garrou, Inc., Cidra, P. R., effective 4-22-53 to 10-21-53; 13 learners; knitters, 240 hours at 32 cents per hour, 240 hours at 35 cents per hour; seamers, 240 hours at 32 cents per hour, 240 hours at 35 cents per hour; menders, 160 hours at 32 cents per hour, 160 hours at 35 cents per hour; examiners, 120 hours at 32 cents per hour, 120 hours at 35 cents per hour (full fashioned ladies' hosiery).

Pan Am Textiles, Inc., Caguas, P. R., effective 4-17-53 to 10-16-53; 34 learners; knitters, 160 hours at 30 cents per hour, 320 hours at 32 cents per hour, 320 hours at 35 cents per hour; seamers, 160 hours at 30 cents per hour, 320 hours at 32 cents per hour, 320 hours at 35 cents per hour; examiners, 120 hours at 32 cents per hour, 120 hours at 35 cents per hour; menders, 160 hours at 30 cents per hour, 160 hours at 32 cents per hour, 160 hours at 35 cents per hour (full fashioned hosiery).

V. I. Button Co., Inc., St. Thomas, Virgin Islands, effective 4-15-53 to 7-19-53; 3 learners; facing, drilling, polishing; 240 hours at 35 cents per hour on each occupation (pearl and plastic buttons).

V'Soske Shops, Inc., Vega Baja, P. R., effective 4-15-53 to 10-14-53; 1 learner; machine repairman; 200 hours at 35 cents per hour (machine tufting of rugs).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in

the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 28th day of April 1953.

MILTON BROOKE,
Authorized Representative of the Administrator

[F. R. Doc. 53-3931; Filed, May 5, 1953; 8:46 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-805, G-982, G-1073, G-1661]

TENNESSEE GAS TRANSMISSION CO.

NOTICE OF ORDER AMENDING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

APRIL 30, 1953.

Notice is hereby given that on April 29, 1953, the Federal Power Commission issued its order entered April 28, 1953, in the above-entitled matter, amending certificates of public convenience and necessity in Docket No. G-805, issued February 14, 1947 (12 F R. 1183) Docket No. G-982, issued March 24, 1948 (13 F R. 1649) Docket No. G-1073, issued November 3, 1948 (13 F. R. 6634) and Docket No. G-1661, issued June 27, 1951 (16 F. R. 6694)

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-3932; Filed, May 5, 1953; 8:46 a. m.]

[Docket No. G-2025]

TENNESSEE GAS TRANSMISSION CO.

NOTICE OF EXTENSION OF TIME

APRIL 29, 1953.

Upon consideration of the petition filed April 27, 1953, for modification of the order issued October 30, 1952, in the above-designated matter;

Notice is hereby given that an extension of time is granted to and including July 28, 1953, within which the construction of the facilities authorized by the Certificate issued October 30, 1952, shall be completed and actual operations thereunder shall be commenced. Paragraph C (1) of said order is amended accordingly.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-3933; Filed, May 5, 1953; 8:47 a. m.]

[Docket No. G-2039]

COLORADO INTERSTATE GAS CO.

NOTICE OF EXTENSION OF TIME

APRIL 29, 1953.

Upon consideration of the Motion filed April 22, 1953, for an Extension of Time and for Permission to File Report Out of Time, in the above-designated matter;

Notice is hereby given that an extension of time to and including July 1, 1953, is granted, in which to place in operation the facilities authorized to be constructed by the order issued December 11, 1952, in the above-designated matter. Paragraph C (1) of said order is amended accordingly.

Permission to file the progress report submitted for filing on April 22, 1953, out of time, is hereby granted.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-3934; Filed May 5, 1953; 8:47 a. m.]

[Docket No. G-2157]

MISSOURI PUBLIC SERVICE CO.

NOTICE OF APPLICATION

APRIL 30, 1953.

Take notice that Missouri Public Service Company (Applicant) a Missouri corporation with its principal place of business at Warrensburg, Missouri, filed on April 20, 1953, an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of facilities, subject to the jurisdiction of the Commission, consisting of approximately 24.4 miles of 10¾-inch O. D. natural gas transmission pipeline extending from a point of connection with the transmission pipeline of Cities Service Gas Company in Johnson County, Missouri, to the City of Clinton, Missouri.

Applicant proposes to construct and operate the facilities described above for the purpose of supplying natural gas to the public as well as natural gas on an interruptible basis for fuel in Applicant's electric generating plant in Clinton, Missouri. The number of customers to be served will increase from 1201 in 1954 to 2,001 in 1956, and the volumes of natural gas required for the service thereto will increase from 1,969,170 Mcf annually and 324 Mcf on peak day for 1954, to 2,126,474 Mcf annually and 597 Mcf on peak day for 1956 (1,727,367 Mcf of annual volume will be gas served on interruptible basis for 1954–1956)

The estimated total over-all capital cost of the proposed facilities is $676,010 of which $573,610 will be for transmission pipe-line facilities subject to the jurisdiction of the Commission, which will be paid for out of retained earnings and other treasury cash.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 20th day of May 1953. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-3951; Filed, May 5, 1953; 8:51 a. m.]

[Project No. 1971]

IDAHO POWER CO.

NOTICE OF CONTINUANCE OF HEARING

APRIL 30, 1953.

Notice is hereby given that the hearing in the above-designated matter, now scheduled for May 25, 1953, is continued to 10:00 a. m., e. d. s. t., July 7, 1953, at the Commission's Hearing Room, General Accounting Office Building, 441 G Street NW., Washington, D. C.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-3950; Filed, May 5, 1953 8:51 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[7-1515, 7-1520, 7-1521]

AMERICAN BROADCASTING-PARAMOUNT THEATRES, INC., ET AL.

NOTICE OF APPLICATION FOR UNLISTED TRADING PRIVILEGES, AND OF OPPORTUNITY FOR HEARING

In the matter of application by the Philadelphia-Baltimore Stock Exchange for unlisted trading privileges in: American Broadcasting-Paramount Theatres, Inc., Common Stock, $1.00 Par Value, 7-1515; Warner Bros. Pictures, Inc., Common Stock, $5 Par Value, 7-1520; Stanley Warner Corporation, Common Stock, $5 Par Value, 7-1521.

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 30th day of April A. D. 1953.

The Philadelphia-Baltimore Stock Exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 thereunder, has made application for unlisted trading privileges in the Common Stock, $1.00 Par Value, of American Broadcasting-Paramount Theatres, Inc., registered and listed on the New York Stock Exchange; the Common Stock, $5 Par Value, of Warner Bros. Pictures, Inc., registered and listed on the New York Stock Exchange; and the Common Stock, $5 Par Value, of Stanley Warner Corporation, registered and listed on the New York Stock Exchange.

Rule X-12F-1 provides that the applicant shall furnish a copy of the application to the issuer and to every exchange on which the security is listed or already admitted to unlisted trading privileges. The application is available for public inspection at the Commission's principal office in Washington, D. C.

Notice is hereby given that, upon request of any interested person received prior to May 26, 1953, the Commission will set this matter down for hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-3941; Filed, May 5, 1953; 8:48 a. m.]

[File Nos. 50–34, 70–2340, 70–2341, 70–2342, 70–2343]

PHILADELPHIA CO. ET AL.

ORDER EXTENDING TIME FOR TERMINATION OF INTERLOCKING RELATIONSHIPS BETWEEN PHILADELPHIA COMPANY AND FORMER GAS COMPANY SUBSIDIARIES

APRIL 30, 1953.

In the matter of Philadelphia Company, Equitable Gas Company, Pittsburgh and West Virginia Gas Company, Kentucky West Virginia Gas Company, File No. 70–2343; Philadelphia Company, File No. 70–2342; Philadelphia Company, File No. 50–34, Standard Gas and Electric Company, File No. 70–2341, Standard Gas and Electric Company, Philadelphia Company, File No. 70–2340.

Standard Gas and Electric Company ("Standard") and its subsidiary, Philadelphia Company ("Philadelphia") both registered holding companies and subsidiaries of Standard Power and Light Corporation, also a registered holding company, and certain of Philadelphia's former subsidiaries, Equitable Gas Company ("Equitable") Pittsburgh and West Virginia Gas Company ("Pittsburgh") and Kentucky West Virginia Gas Company ("Kentucky") having filed applications-declarations and amendments thereto pursuant to the Public Utility Holding Company Act of 1935 ("act") and the rules and regulations promulgated thereunder, proposing, among other things, the reorganization of the natural gas and oil properties in the Philadelphia system, the recapitalization and issuance of securities by Equitable, the amendment of Equitable's charter, and the sale by Philadelphia to the public of all the common stock of Equitable, as reorganized; and

The Commission, by order dated March 14, 1950, having granted and permitted to become effective said applications-declarations, as amended, subject, among other things, to the following condition:

1. That within six months (or such additional time as may be allowed for good cause shown) after consummation of the sale by Philadelphia of the Equitable common stock, Standard and Philadelphia shall, in an appropriate manner not in contravention of the provisions of the act or the rules, regulations or orders thereunder, terminate or cause to be terminated all interlocking relationships through any person or persons by way of contract, retainer or other arrangement with any person or persons, or through the holding of an officership or directorship by any person or persons, or by the joint operation of departments and activities and the joint use of personnel, property or facilities as between Equitable, Pittsburgh, and Kentucky, on the one hand and other companies now or formerly in the Philadelphia system on the other;

and

The aforementioned sale by Philadelphia of the Equitable common stock having been consummated on March 31, 1950; Standard and Philadelphia, from time to time having heretofore requested the Commission to extend the time for compliance with the said condition and the Commission having granted such extensions, the last of which expired April 1, 1953; and

Standard and Philadelphia, by letter dated April 23, 1953, having stated that substantial progress has been made in the program of segregating the operating organizations of Philadelphia's former gas company subsidiaries and the Philadelphia system and that it is expected the program can be completed within a few months, and having requested the Commission to extend to October 1, 1953, the time for compliance with the said condition; and

The Commission having considered such request and the reasons advanced in support thereof and deeming that the public interest and the interest of investors and consumers will not be affected adversely by granting such request:

It is ordered, That the time prescribed for compliance by Standard and Philadelphia with the above-recited condition be, and hereby is, extended to October 1, 1953.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53–3940; Filed, May 5, 1953; 8:48 a. m.]

[File No. 70–3016]

LAWRENCE GAS AND ELECTRIC CO. ET AL.

ORDER AUTHORIZING SALE OF GAS PROPERTIES AND REDUCTION IN PAR VALUE OF COMMON STOCK; AND ISSUANCE OF COMMON STOCK AND ASSUMPTION OF CERTAIN INDEBTEDNESS IN CONNECTION WITH SEPARATION OF GAS AND ELECTRIC PROPERTIES

APRIL 30, 1953.

In the matter of Lawrence Gas and Electric Company, Lawrence Gas Company, New England Electric Company, File No. 70–3016.

New England Electric System ("NEES") a registered holding company, and its public utility subsidiary, Lawrence Gas and Electric Company ("Lawrence") and Lawrence Gas Company ("Lawrence Gas") a gas utility company organized December 31, 1951, for the purpose of acquiring Lawrence's gas properties and business, having filed a joint application-declaration, and amendments thereto, pursuant to sections 6, 7, 9, 10, and 12 of the Public Utility Holding Company Act of 1935 ("act") and Rules U-44 and U-45 promulgated thereunder, with respect to the following proposed transactions:

At the present time, Lawrence has outstanding 188,000 shares of capital stock, $25 par value, of which NEES owns 170,002 shares or 90.42 percent and the public 17,998 shares or 9.58 percent. Lawrence proposes to sell its gas properties and business to Lawrence Gas which, it is stated, will record the assets received and the liabilities assumed at book values. Such liabilities, including $1,380,000 of unsecured promissory notes, are stated to be attributable to Lawrence's gas business. None of Lawrence's presently outstanding $2,750,000 principal amount of 2⅝ percent first mortgage bonds will be assumed by Lawrence Gas. As a result of the sale, Lawrence, presently a gas and electric company, will do solely an electric business while Lawrence Gas will do solely a gas business. Lawrence will change its name to "Lawrence Electric Company".

In connection with the proposed sale of its gas properties, Lawrence proposes to reduce the par value of its capital stock from $25 to $10 per share so that in lieu of 188,000 shares of $25 par value stock, it will have outstanding 470,000 shares of $10 par value stock. Thereafter Lawrence proposes to cancel 188,000 shares of the $10 par value stock, thus reducing the number of shares of such stock outstanding to 282,000. Concurrently with the above transactions, Lawrence Gas proposes to issue 188,000 shares of its $10 par value capital stock to the stockholders of Lawrence.

Stockholders of Lawrence will be entitled to receive for each share of presently outstanding $25 par value stock, one share of Lawrence Gas stock and 1½ shares of Lawrence stock, aggregating $25 par value. Lawrence proposes to issue fractional scrip certificates in lieu of any fractional shares to which a stockholder may be entitled, such certificates to remain valid for one year. Such fractional scrip certificates may be combined for presentation for full shares. During the life of such scrip, Lawrence will purchase all scrip certificates offered to it on the basis of $12 for each one-half share certificate and will make any certificates so purchased available to other fractional scrip holders at the same price. Upon the expiration of the life of such scrip, Lawrence proposes to pay all scrip holders $12 for each one-half share certificate held.

Upon consummation of the proposed transactions, NEES will own 225,003 shares of Lawrence's stock (90.42 percent) and 170,002 shares of Lawrence Gas' stock (90.42 percent) the aggregate par value of which ($4,250,050) will be equal to the aggregate par value of NEES' present holding of 170,002 shares of Lawrence's stock. NEES proposes to record its investment in Lawrence and in Lawrence Gas in an aggregate amount equal to the recorded value of its present investment in Lawrence.

The application-declaration states that incidental services in connection with the proposed transactions will be performed, at actual cost, by New England Power Service Company, an affiliated service company, such costs being estimated at $11,500; and total expenses to be borne by applicants-declarants are estimated at $16,400.

By order, dated April 6, 1953, the Department of Public Utilities of the Commonwealth of Massachusetts expressly authorized the transfer of the gas properties by Lawrence and the acquisition thereof by Lawrence Gas, the issuance of 188,000 shares of common stock, $10 par value, by Lawrence Gas, and the change of the par value of the common stock of Lawrence from $25 par value to $10 par value and the cancellation of 188,000 shares, $10 par value. Applicants-declarants request that the Commission's order herein become effective upon issuance.

Due notice having been given of the filing of the application-declaration and a hearing not having been requested of or ordered by the Commission; and the

Commission finding that the applicable provisions of the act and rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said application-declaration, as amended, be granted and permitted to become effective forthwith, without the imposition of terms and conditions, other than those contained in Rule U-24.

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said application-declaration, as amended, be, and it hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-3939; Filed, May 5, 1953; 8:48 a. m.]

[File No. 70-3019]

SOUTHERN CO. ET AL.

ORDER AUTHORIZING SALES OF ADDITIONAL COMMON STOCK BY TWO SUBSIDIARIES TO PARENT COMPANY

APRIL 30, 1953.

In the matter of The Southern Company, Alabama Power Company, Mississippi Power Company File No. 70-3019.

The Southern Company ("Southern") a registered holding company, and two of its subsidiary public utility companies, namely, Alabama Power Company ("Alabama") and Mississippi Power Company ("Mississippi") having filed with this Commission a joint application-declaration and amendments thereto, pursuant to sections 6, 7, 9 (a), 10 and 12 (f) of the act and Rule U-43 promulgated thereunder, with respect to certain proposed transactions which are summarized as follows:

Alabama and Mississippi propose to issue and sell an additional 60,000 shares and 146,000 shares, respectively, of their authorized but unissued common stock without par value. Such shares are to be sold to Southern, which owns all of the common stock of Alabama and Mississippi, for an aggregate consideration of $6,000,000 in the case of Alabama and of $3,000,000 in the case of Mississippi. The proceeds from such sales are to be used by these subsidiary companies to provide a portion of the funds required to finance improvements, extensions and additions to their utility plants.

The joint application-declaration, as amended, states that the proposed issuance and sale of additional shares of common stock by Alabama have been authorized by the Alabama Public Service Commission, the State Commission of the State in which Alabama is organized and doing business.

The joint application-declaration, as amended, further states that the expenses to be incurred in connection with the proposed transactions are estimated at $2,550 in the case of Alabama and $4,500 in the case of Mississippi.

It is requested that the Commission's order herein become effective upon issuance.

Notice of the filing of said joint application-declaration having been given in the manner and form provided by Rule U-23 of the rules and regulations promulgated under the act, and a hearing not having been requested or ordered by the Commission within the time specified in said notice; and the Commission finding that the applicable provisions of the act and the rules and regulations promulgated thereunder are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that said joint application-declaration, as amended, be granted and permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said application-declaration, as amended, be, and hereby is, granted and permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-3938; Filed, May 5, 1953; 8:48 a. m.]

[File No. 70-3033]

ALABAMA POWER CO.

ORDER AUTHORIZING ISSUANCE AND SALE OF FIRST MORTGAGE BONDS AT COMPETITIVE BIDDING

APRIL 29, 1953.

Alabama Power Company ("Alabama") a public-utility subsidiary of The Southern Company ("Southern") a registered holding company, having filed an application with this Commission pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 (the "act") and Rule U-50 promulgated thereunder, with respect to the following proposed transactions:

Alabama proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $18,000,000 principal amount of First Mortgage Bonds, __percent Series due 1983, to be issued under and secured by Alabama's present Indenture, dated as of January 1, 1942, last supplemented on April 1, 1952, and to be further supplemented by a proposed Supplemental Indenture to be dated as of May 1, 1953. The interest rate for the proposed bonds and the price to be paid the company therefor will be determined by competitive bidding. The invitation for bids for the bonds will specify that the price to the company shall be not less than 100 percent nor more than 102.75 percent of the principal amount.

Alabama proposes to use the proceeds from the sale of the proposed bonds to provide a portion of the funds required to finance its current construction program. Alabama estimates that its construction expenditures for the years 1953 and 1954 will require $81,950,000. It is stated in the application that Alabama will finance such construction program by using cash derived from operations, from the sale of the proposed bonds, from the sale to Southern of 60,000 shares of its common stock for $6,000,000, and from the sale of $27,500,000 of additional securities of a type and in an amount not yet determined.

The issuance and sale of the proposed bonds have been authorized by the Alabama Public Service Commission, the State commission of the State in which Alabama is organized and doing business.

The application having been filed on March 30, 1953, the last amendment thereto having been filed on April 29, 1953, notice of said filing having been given in the form and manner required by Rule U-23 promulgated pursuant to said act and the Commission not having received a request for hearing with respect to the application within the time specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that Alabama is entitled to an exemption from the provisions of section 6 (a) and 7 of the act, pursuant to the provisions of section 6 (b) and the Commission being of the opinion that it is appropriate to grant said application, as amended, without the imposition of terms and conditions other than those hereinafter stated:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act that said application, as amended, be, and the same hereby is, granted, effective forthwith, subject to the terms and conditions contained in Rule U-24, and subject to the following additional conditions:

1. That the proposed sale of bonds by Alabama may not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a matter of record in these proceedings and a further order shall have been entered by this Commission in the light of the record so completed;

2. That jurisdiction be, and hereby is, reserved with respect to all fees and expenses incurred or to be incurred in connection with the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-3937; Filed, May 5, 1953; 8:47 a. m.]

[File No. 70-3037]

NEW JERSEY POWER & LIGHT CO.

ORDER AUTHORIZING ISSUANCE AND SALE TO BANKS OF UNSECURED NOTES

APRIL 30, 1953.

New Jersey Power & Light Company ("NJP&L") a public utility subsidiary of General Public Utilities Corporation ("GPU") a registered holding company, having filed an application pursuant to the Public Utility Holding Company Act of 1935, particularly the first sentence of section 6 (b) thereof, with respect to the following proposed transactions:

NJP&L proposes to issue and sell to one or more banks, on or before May 14, 1953, its unsecured notes in the aggregate principal amount of $3,545,000. Such notes will bear interest at the prime rate for commercial borrowing (3 percent per annum at the date the application was filed) at the date of issuance and sale (but not in excess of 3¼ percent per annum, except as hereinafter provided) and will mature not more than six months after such date.

NJP&L states that if the prime rate for commercial borrowing should be in excess of 3¼ percent per annum at the time of issuance of any note NJP&L will, at least five days prior to the date of issuance of such note, file with the Commission a supplemental statement setting forth the interest rate thereof and all other pertinent details thereof, and that NJP&L will not issue said note unless either (a) no notice shall have been given to NJP&L by the Commission within said five-day period that the Commission deems further proceedings required with respect to the subject matter of the application or (b) notice shall have been given to NJP&L by the Commission within said five-day period that no further proceedings are required with respect to the subject matter of the application.

The amount of notes to be issued will exceed the amount of short-term notes which the company may issue without action of the Commission, such latter amount being 5 percent of the principal amount and par value of its other securities now outstanding. The company states that the proceeds of the sale of the notes will be applied to the payment of the company's unsecured notes maturing May 14, 1953, now oustanding in the principal amount of $3,545,000, which notes were issued to partially finance its construction program. Upon consummation of the proposed transactions, the company will have outstanding unsecured short-term indebtedness in an amount equivalent to approximately 10 percent of its secured indebtedness and capital stock.

NJP&L states that it has been postponing long-term debt financing until it receives certain rate relief in a proceeding now pending before The Board of Public Utility Commissioners of the State of New Jersey that it will repay the unsecured notes for the issuance of which authority is sought herein, with a portion of the funds derived from a recent cash contribution to the company's capital by GPU and from the proceeds of the sale of bonds expected to be made in 1953 following the issuance of the decision in the rate proceeding mentioned above.

The filing states that no State or Federal regulatory commission other than this Commission has jurisdiction over the proposed transactions and that the expenses, including counsel fees, in connection with such transactions are estimated at $500. It is requested that the Commission's order become effective upon issuance.

Due notice having been given of the filing of the application and a hearing not having been requested or ordered by the Commission; and the Commission finding with respect to said application that the applicable standards of the act and the rules are satisfied and that it is not necessary to impose any terms or conditions other than those set forth below and the Commission deeming it appropriate that said application be granted forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said application be, and it hereby is, granted effective forthwith, subject to the conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-3936; Filed, May 5, 1953; 8:47 a. m.]

[File No. 70-3051]

APPALACHIAN ELECTRIC POWER CO.

NOTICE REGARDING ACQUISITION OF SECURITIES

APRIL 30, 1953.

Notice is hereby given that Appalachian Electric Power Company ("Appalachian") an electric utility subsidiary of American Gas and Electric Company, a registered holding company, has filed an application pursuant to the Public Utility Holding Company Act of 1935, and has designated sections 9 and 10 thereof as applicable to the proposed transactions which are summarized as follows:

Appalachian proposes to purchase from Roanoke Valley Development Corporation ("Valley Corporation") a newly organized corporation, 200 shares of its capital stock having a par value of $100 per share for the total price of $20,000. The application states that it is understood that said shares will represent less than 10 percent of the outstanding stock of Valley Corporation.

It is further stated that Valley Corporation has been organized by various business interests located in the Roanoke Valley area of Virginia to encourage and assist the industrial and commercial development of that area by, among other things, the acquisition of industrial and commercial buildings or sites therefor, and their sale or lease to new industries locating in the area. Appalachian states that its participation in this cooperative effort will to some extent eliminate the necessity for its independent area development efforts in which it engages as a part of its load-building program.

Notice is further given that any interested person may, not later than May 18, 1953, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by the said application which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after May 18, 1953, said application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof. All interested persons are referred to said application which is on file at the offices of this Commission for a statement of the transactions therein proposed.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-3935; Filed, May 5, 1953; 8:47 a. m.]

E. M. SCOTT AND CO.

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

In the matter of The E. M. Scott and Company, 9400 Thornhill Road, Silver Spring, Maryland.

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 30th day of April 1953.

I. The Commission's public official files disclose that The E. M. Scott and Company, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,[1] stating that registrant did not file with the Commission reports of his financial condition during the calendar years 1950, 1951 and 1952, as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in Paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statement referred to in Paragraph II hereof is true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

[1] Filed as part of original document.

V *It is ordered,* That registrant be given an opportunity for hearing as set forth in Paragraph IV hereof on the 4th day of June 1953, at the main office of the Securities and Exchange Commission, located at 425 Second Street NW., Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 193, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before May 29, 1953. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived:

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to June 4, 1953.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-3942; Filed, May 5, 1953; 8:49 a. m.]

MACQUEEN & CO.

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

In the matter of MacQueen & Company, 2000 First Avenue North, Birmingham, Alabama.

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 30th day of April 1953.

I. The Commission's public official files disclose that MacQueen & Company, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,[1] stating that registrant did not file with the Commission reports of his financial condition during the calendar year 1952, as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in Paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV The Commission having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statement referred to in Paragraph II hereof is true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

V *It is ordered,* That registrant be given an opportunity for hearing as set forth in Paragraph IV hereof on the 4th day of June 1953, at the main office of the Securities and Exchange Commission, located at 425 Second Street NW., Washington, 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 193, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before May 29, 1953. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived.

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to June 4, 1953.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-3943; Filed, May 5, 1953; 8:49 a. m.]

BOWLING AND CO., INC.

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

In the matter of Bowling and Company, Inc., 214 Cumberland Street, Kingsport, Tennessee.

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 30th day of April 1953.

I. The Commission's public official files disclose that Bowling and Company, Inc., hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,[1] stating that registrant did not file with the Commission reports of his financial condition during the calendar year 1952, as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in Paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statement referred to in Paragraph II hereof is true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

V *It is ordered,* That registrant be given an opportunity for hearing as set

[1] Filed as part of original document.

forth in Paragraph IV hereof on the 4th day of June 1953, at the main office of the Securities and Exchange Commission, located at 425 Second Street NW., Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 193, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before May 29, 1953. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived:

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to June 4, 1953.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final commission action.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-3944; Filed, May 5, 1953; 8:49 a. m.]

LEWIS A. ADAMS

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

In the matter of Lewis A. Adams, 124 Lynnwood Street, Alexandria, Virginia.

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 30th day of April 1953.

I. The Commission's public official files disclose that Lewis A. Adams, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,[1] stating that registrant did not file with the Commission reports of his financial condition during the calendar years 1950, 1951, and 1952, as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in Paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statement referred to in Paragraph II hereof is true;

(b) Whether registrant has willfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

V. *It is ordered,* That registrant be given an opportunity for hearing as set forth in Paragraph IV hereof on the 4th day of June 1953, at the main office of the Securities and Exchange Commission, located at 425 Second Street NW., Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 193, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before May 29, 1953. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived:

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to June 4, 1953.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-3945; Filed, May 5, 1953; 8:50 a. m.]

[1] Filed as part of original document.